

September 22, 1966

INVESTMENT CREDIT SUSPENSION WOULD TAKE \$100 MILLION ANNUALLY OUT OF POCKETS OF FARMERS

Mr. PROXMIRE. Mr. President, I have spoken out a number of times against the proposal to suspend the 7-percent investment tax credit, which has contributed so much to the expansion of our Nation's industry and the creation of new jobs.

Today, I say to my colleagues that this proposal, if adopted, would seriously hurt another vital sector of our economy—the farmers.

The distinguished senior Senator from Kansas [Mr. CARLSON] has made this point, and made it very well. I should like to emphasize it.

I have opposed suspending the investment credit because it would not do the job which we need to have done right now. We have inflationary pressures today which could be met by the proper administration action. The results of lifting the investment credit would not show up for at least a year and probably longer. No one can say what the state of the economy will be a year from now.

This argument carries even more validity when applied to agriculture. Farmers are making plans for next year. One thing already is clear: They will be called upon for more food production and, at the same time, be denied the incentives that would make higher output possible.

Our immense surpluses of a decade ago no longer exist.

Milk production has declined to 1939 levels. Dairymen still are finding other, more profitable careers and selling their herds. Young people in my State of Wisconsin are less and less willing to risk the hazards of going into dairy farming.

The corn crop this year is estimated at about one-half billion bushels below expected demand. Wheat will be short by 100 million or more bushels. Soybeans, the new wonder crop, will fail to meet demand levels by almost 100 million bushels.

The carryover of all these grains needed to guard against crop failure is far below minimums established by the Department of Agriculture.

The fact that our food production will be as high as it is is good news in one way. Just a few weeks ago, there were growing fears of a general crop failure across the country. Only desperately needed late summer rains averted this catastrophe.

Our own population keeps gaining at the rate of one person every 12 seconds. We are committed to help feed the starving millions of Africa, Asia, and Latin America.

How can we do this?

Only the increased efficiency of the farmer has permitted him to produce the abundance we have enjoyed. But he has been receiving less and less of the national dollar for his efforts.

Now, we are asking the farmer to renew his efforts. We are asking him to increase his wheat acreage and to grow more soybeans. In 1967, croplands total-

ing about 10 percent of this year's acreage are expected to be called out of reserve.

Mr. President, the American farmer can supply us with the foods we need in abundance. He can go a long way on the path toward feeding millions in other countries.

But the only way he can succeed is by continuing his efficiency. This means he has to have new equipment and machinery. And he has to have the incentive.

A dairy farmer needs an absolute minimum of \$50,000 worth of plant and equipment to begin to realize a decent return. To make what we could call a "good" living, he must have \$100,000 or more invested.

In the face of this, it seems sheer folly to call upon the farmer for more food and simultaneously revoke the means which would help him produce it.

Food price rises have featured the inflation. This action will aggravate the food shortage and shove food prices up more. What a way to fight inflation.

The Agriculture Department has estimated that in its first year of existence, the investment tax credit meant returns to agriculture of about \$85 million. That figure probably would be closer to \$100 million today.

This is less than one-tenth of 1 percent of the funds asked by the administration for the fiscal 1967 budget. It is slightly more than one-third the amount the Senate voted to help develop a supersonic plane to reduce the flying time of the jet set from New York to Paris.

The income of most American farmers is so low that they pay no income tax, but many of the Nation's most productive, efficient, and hard working farmers pay an income tax and need this credit badly. To them this \$100 million is a big and critical amount. To take it away now would be a serious injustice.

While we vote millions to benefit two or three aircraft companies, and a handful of fat cat air travelers, we are being asked to penalize the farmer for trying to grow more food for the millions.

LET US AID POPE PAUL AND CONSTANTLY SEEK AN END TO BLOODSHED IN VIETNAM

Mr. YOUNG of Ohio. Mr. President, within the last few days two of the most respected and trusted world leaders have made important statements regarding the urgent necessity for further attempts to bring about an end to the miserable civil war in Vietnam.

Pope Paul VI, in a dramatic appeal for peace, called for an end to the war in Vietnam before it is too late. He again urged a meeting of all responsible parties to negotiate a settlement. He warned that the bloody and difficult war raging in Vietnam threatens a more extensive and more disastrous calamity that could endanger the entire human race. This great man of peace called on men "to lay down their arms at least before it becomes too late to do so because of the mounting pressure of events."

United Nations Secretary General U Thant, in his blunt annual report to the

General Assembly of the United Nations, expressed his fear that the way to the peace table in Vietnam will be permanently blocked if both sides continue to use the conflict as an ultimate ideological testing ground. He warned that "the cloud over Vietnam has grown larger and more ominous."

Mr. President, historically there are no such nations as North Vietnam and South Vietnam. The Geneva agreement recognized that fact, referring to the 17th parallel as being a temporary division or separation of Vietnam. Laos, Cambodia, and Vietnam both north and south of the 17th parallel formed the lush French Indochinese colonial empire. Throughout the 19th century and part of the 20th century, the people of what was termed Indochina lived as subjects of French colonialism. They fought for national liberation and achieved their freedom following World War II. Following the Japanese withdrawal in 1945, the French sent in more than 200,000 troops to continue their colonial oppression of Indochina. In 1954, the forces of the National Liberation Front overran Dienbienphu, and in September of that year the French withdrew.

Mr. President, we would do well to heed the advice of Pope Paul VI and Secretary General U Thant. Unpleasant as it may be, the time for reappraisal has come, and thoughtful Americans should resolve to be realistic about it. The first step is to cast off the illusion that the civil war in Vietnam represents a final showdown with world communism. As U Thant pointed out so well, the basic problem in Vietnam is not one of ideology but one of national identity and survival. It is a war that millions of Vietnamese have been fighting since 1940. While the Communists may have captured leadership of the nationalist movement, we must not lose sight of the fact that this is also a continuation of a war of national liberation. The Saigon military junta is composed of 10 generals. Of the 10, 9 of the generals now ruling the Saigon Government fought on the side of the French colonial oppressors in 1953 and 1954 against their own fellow countrymen seeking national liberation. Prime Minister Ky, who was born in Hanoi, was in the French air force as a cadet in training. In other words, in the Vietnam war for liberation they were the Tories and the Viet Minh fighting for national liberation were the patriots.

We can hardly claim that North Vietnam threatens our vital existence as a world power. Very definitely, Vietnam is of no strategic importance to the defense of the United States. We must then fall back on the argument that we are defending a free people against military aggression. However, at that point we face the embarrassing fact that very few nations in the world accept this as an accurate description of the war. More important is the fact that the great majority of the Vietcong—more than 80 percent fighting in the Mekong Delta—were born and reared in South Vietnam. It is a factually incorrect claim that State Secretary Dean Rusk makes that we are in southeast Asia with our hundreds of

General Conference of the United Nations Educational, Scientific, and Cultural Organization (UNESCO) at its third session in Beirut, Lebanon, in 1948. The agreement was there developed and adopted in its present textual form and recommended to members states for signature. A copy of the agreement is contained in the appendix to this report.

Your committee is advised that at the present time the agreement is formally operational in 17 countries. In accordance with its terms, the agreement entered into force on August 12, 1954, when the 10th country commenced formal participation.

The U.S. Senate gave advice and consent to ratification of the Beirut agreement on May 26, 1960. Deposit of ratification is being withheld pending enactment of this implementing legislation. Upon enactment of this legislation it is expected that the instrument of ratification will be deposited with the United Nations.

SUMMARY OF THE RESOLUTION'S PROVISIONS

House Joint Resolution 688, as passed by the House and agreed to by your committee, would authorize the President to designate a Federal agency or agencies to carry out the provisions of the Beirut Agreement. Your committee was advised that it is expected that the President will designate the U.S. Information Agency to perform this function. This work consists of certifying that outgoing materials are educational, scientific, or cultural, in order to facilitate their free importation into a foreign country. It also involves review of certificates accompanying incoming materials to verify that these materials are educational, scientific, or cultural, entitled to duty-free treatment in this country. The measure would also authorize other agencies of the Federal Government to furnish facilities and personnel for the purpose of assisting the agency or agencies designated by the President in carrying out the provisions of the agreement.

Section 3(a) of the resolution would add a new provision, item 870.30, to the special classification provisions of the Tariff Schedules of the United States to permit free entry for certain specified types of articles which are determined to be visual or auditory materials in accordance with a new headnote to be inserted after the heading to schedule 8, part 6, of the Tariff Schedules. The proposed new headnote specifies that no article shall be exempted from duty under item 870.30 unless a Federal agency or agencies designated by the President determines that such article is visual or auditory material of an educational, scientific, or cultural character within the meaning of the agreement.

The visual and auditory articles, which would be permitted to enter free of duty under the conditions and limitations specified in the new headnote are developed photographic film, including motion picture film on which pictures or sound and pictures have been recorded; photographic slides; transparencies; sound recordings; recorded video tape; models; charts; maps; globes; and posters. Materials moving from commercial consignors to commercial consignees are within the reach of the agreement.

The bill also provides that whenever the President determines that there is or may be profitmaking exhibition or use of the articles entered under the agreement which interferes significantly (or threatens to interfere significantly) with domestic production of similar articles, he may prescribe regulations imposing restrictions on the entry of such foreign articles to insure that they will be exhibited or used only for non-profit-making purposes. This language is consistent with paragraph 5 or article IV of the agreement which permits the issuance of such regulations by the contracting states. The word "significantly" as used in the amendment does not contemplate a mathematical test or measure of interference as a guide to the President, but the term means

more than de minimus and certainly less than serious injury.

EFFECTIVE DATE

Section 3(b) of the resolution provides that the amendments to the Tariff Schedules of the United States are to apply with respect to articles entered, or withdrawn from warehouse, for consumption, on or after a date to be proclaimed by the President, which date is to be within a period of 6 months beginning the day after the day on which the U.S. instrument of acceptance of the agreement is deposited with the Secretary General of the United Nations.

BENEFITS TO THE UNITED STATES

The United States produces more educational audiovisual materials than all other countries combined and is the world's major exporter of such materials. Your committee is informed that enactment of this legislation will have the effect of increasing the institutional use abroad of certified American educational films and comparable materials.

In addition, your committee believes that full participation of the United States in the agreement, as would be provided for in this legislation, would promote better understanding of the United States in other countries and would increase mutual understanding between the people of the United States and those of other nations.

JOINT RESOLUTION PASSED OVER

The joint resolution (S.J. Res. 76) to provide for the formulation, adoption, administration, and periodic updating of a long-range land use plan for the U.S. Capitol Grounds and contiguous related and influencing areas was announced as next in order.

Mr. MANSFIELD. Over.

The ACTING PRESIDENT pro tempore. The joint resolution will be passed over.

W. P. FRANKLIN LOCK AND CONTROL STRUCTURE, FLORIDA

The Senate proceeded to consider the bill (S. 212) to designate a navigation lock and flood control structure of the central and southern Florida flood control project in the State of Florida as the W. P. Franklin lock and control structure which had been reported from the Committee on Public Works with amendments, on page 1, line 7, after the name "Franklin", to strike out "lock and control structure" and insert "Lock and Control Structure"; and on page 2, line 4, after the name "Franklin", to strike out "lock and control structure" and insert "Lock and Control Structure"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the navigation lock and water control structure known as structure 79 of the central and southern Florida flood control project located on the Caloosahatchee River in the State of Florida shall hereafter be known as the W. P. Franklin lock and control structure, and any law, regulation, document, or record of the United States in which such structure is designated or referred to shall be held to refer to such structure under and by the name of the W. P. Franklin lock and control structure.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended, so as to read:

"A bill to designate a navigation lock and flood control structure of the central and southern Florida flood control project in the State of Florida as the W. P. Franklin lock and control structure."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1628), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of S. 212 is to designate the navigation lock and water-control structure known as structure 79 of the central and southern Florida flood-control project located on the Caloosahatchee River in the State of Florida, as the W. P. Franklin Lock and Control Structure.

GENERAL STATEMENT

The central and southern Florida flood control project, authorized by the Flood Control Act of June 30, 1948 (Public Law 858, 80th Cong.), and subsequent acts of Congress, covers an area of some 16,400 square miles, lying generally within the southeasterly 18 counties of Florida. It is comprised of the upper St. Johns River Basin, located in the northeastern section of the project; the Kissimmee River Basin, in the central section; the Lake Okeechobee-Everglades area in the central and southwestern section; and the east coast-Everglades area in the southeastern section.

The project is for flood relief and water conservation. It will provide water control and protection from the recurrence of devastating floodwaters from the Everglades and local sources, for the highly developed urban area along the lower east coast of Florida, and for the productive agricultural areas around Lake Okeechobee (including the towns around the lake), in the upper St. Johns and Kissimmee River Basins, and in south Dade County.

Construction of the project was begun in January 1950. To date, more than 550 miles of levees (including most of the east coast protective levee) have been completed to intermediate or final grades and accepted for operation and maintenance by the central and southern Florida Flood Control District. A number of important canals and control structures and large pumping stations have also been completed and turned over to local interests for operation and maintenance. The project as a whole was about 50 percent completed on September 1, 1966.

Mr. W. P. Franklin is a retired prominent businessman and pioneer resident of the Fort Myers, Fla., area. He is 95 years of age, and throughout his lifetime has been an ardent advocate of water resources development in central and southern Florida. He was the leading force behind the development of the Okeechobee Waterway, on which the lock and dam to be named in his honor are located.

COST TO THE UNITED STATES IF LEGISLATION IS ENACTED

Enactment of this legislation will not result in any cost to the Federal Government.

COMMITTEE VIEWS

The committee believes it fitting and proper to name the navigation lock and water control structure located on the Caloosahatchee River, Fla., and known as structure 79 of the central and southern Florida flood control project, in honor of Mr. W. P. Franklin, whose untiring efforts have resulted in great contributions to the national welfare and to his beloved State of Florida. Accordingly, enactment of S. 212 is recommended.

Mr. MANSFIELD. Mr. President, that concludes the call of the calendar.

thousands of soldiers fighting a land war in an area 10,000 miles distant from our shores because of national aggression by one state against another. This is a fantastic claim lacking adequate basis in fact. Ho Chi Minh was waging his "war of national liberation" long before the Chinese Communists gained power in their own country.

Our mission should be to help people, if they want help, and to assist in building political and social conditions that will deter the people of the underdeveloped nations from looking to the Communist ideology for the cure for their national ills.

This does not at all mean abandoning the field everywhere to the Communists and retreating into isolation, but it does mean that we should apply appropriate measures to the particular situation we are dealing with, instead of trying to handle them all by a formula derived from a bygone set of circumstances. It means abandoning the assumption that the only way our national interest can be protected is by the direct application of our military power around the periphery of the Communist world. It means limiting our commitments to vital areas and bringing them into line with our capacity to fulfill them. Dean Rusk may assume the United States has a mandate from almighty God to police the world. I repudiate any such view.

We, Americans, who like to regard ourselves as the most revolutionary Nation in the world, have become, it seems, the most unrevolutionary in that regard.

Mr. President, in trying to bring about an armistice and peace and to end our involvement in this miserable civil war in the jungles of Vietnam, we would do well to encourage Pope Paul VI and Secretary General U Thant to continue leadership in their attempt to try and bring about peace. Indeed, we should follow that leadership. We would do well to make it crystal clear we would withdraw our Armed Forces in gradual stages directly following a conference to bring about a cease-fire and an armistice in Vietnam and to make it equally clear that we would meet with independent delegates of the Vietcong, or National Liberation Front, at any time and anywhere and seek to neutralize Vietnam and finally end the bloodletting there.

Unless this is accomplished, the future probably holds forth for us involvement with our Armed Forces in Vietnam for 5, 10, or 20 years. We should proclaim that we Americans are definitely willing to discuss a cease-fire and an armistice with delegates representing the National Liberation Front, or Vietcong, along with delegates representing the Hanoi government and Saigon government. Also, the road to an ultimate settlement lies through halting our buildup of the Vietnamese war and moving toward a deescalation rather than an escalation of the war.

As U Thant said in his report:

The survival of the people of Vietnam must be seen as the real issue, and it can be resolved not by force but by patience and understanding, in the framework of a willingness to live and let live.

AMENDMENT OF THE ATOMIC ENERGY ACT OF 1954, AS AMENDED

Mr. PASTORE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1571, S. 3830.

The ACTING PRESIDENT pro tempore. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 3830) to amend the Atomic Energy Act of 1954, as amended.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. PASTORE. Mr. President, I rise in support of enactment of S. 3830, a bill to amend the Price-Anderson nuclear indemnity provisions of the Atomic Energy Act of 1954.

The Price-Anderson nuclear indemnity legislation was enacted in 1957 for two principal purposes. First, to protect the public by assuring the availability of funds for the payment of claims arising in the extremely unlikely event of a catastrophic nuclear incident. Second, to remove a deterrent to private industrial participation in the atomic energy program which flowed from the threat of tremendous potential liability claims. The act accordingly affords protection to the public and to AEC's licensees and contractors from the risks associated with atomic energy by providing for a program of private insurance and governmental indemnity amounting to a maximum of \$560 million to cover damages that conceivably could arise from a nuclear incident.

Last year the Joint Committee recommended, and there was enacted, legislation extending the Price-Anderson Act for 10 years—to 1977. During our hearings on the extension legislation, our committee identified a number of potentially serious problems which required further study. These included the difficulty that might face a claimant if he were unable to prove someone's negligence was the cause of a nuclear incident. In addition, concern was expressed that the statutes of limitations of many States are inadequate to provide for delayed manifestation of radiation injury.

Our committee has continued to study these problems, in consultation with representatives of the private insurance industry, the nuclear industry, and the AEC. As a result of the cooperative efforts of all concerned a bill was drafted which attempted to remedy the deficiencies in the existing legislation.

In July of this year our committee held 3 days of hearings on the proposed bill, and we believe that we have now reported out a measure which will substantially improve the protection to the public afforded by the Price-Anderson legislation without in any way operating to the detriment of the nuclear industry. Moreover, it is important to note that S. 3830—while providing for the elimination of certain serious legal obstacles which might face claimants in the event of a substantial nuclear incident—does

not establish a new body of Federal tort law. Instead, this bill follows the approach of the original Price-Anderson Act; that is, making a minimum interference with the laws of the several States insofar as legal liability for nuclear incidents is concerned. Our committee continues to endorse this general approach.

Mr. President, a detailed analysis of S. 3830 is contained in our committee's report which is before you. Our report discusses the provisions of this bill in depth and explains the policy bases of our committee's recommendation.

I will summarize the major provisions of S. 3830 very briefly as follows:

First. The bill would authorize the AEC to establish coordinated procedures with the nuclear liability insurance pools for the prompt settlement of claims arising out of a nuclear incident.

Second. The bill would authorize the AEC to incorporate provisions in its indemnity agreements with AEC's licensees and contractors, and to require incorporation of provisions in nuclear liability insurance policies and contracts which are furnished as proof of financial protection by AEC's licensees and contractors, which waive any issue or defense as to conduct of the claimant or fault of defendants. The primary end result of these waivers would be first to eliminate any requirement that a claimant prove that someone was negligent in order to recover for his damages from a serious nuclear incident and, second, any possible issue as to the claimant's contributory negligence or assumption of risk. Waivers could also be required with respect to charitable or governmental immunity of the defendant and statutes of limitations, subject to certain conditions.

Third. The waivers would apply only with respect to an "extraordinary nuclear occurrence" as defined in the bill. The Commission would be empowered to determine whether an "extraordinary nuclear occurrence" had taken place in order to make the waivers effective.

Fourth. The bill would provide that in the event of an "extraordinary nuclear occurrence" the U.S. district court in the district where such occurrence takes place shall have original jurisdiction of any public liability action arising out of the occurrence, without regard to the citizenship of any party or the amount in controversy. The bill would also authorize the removal to such district court of all public liability actions arising from the same occurrence which are pending in other courts.

Fifth. The bill would provide limitations on the amounts that may be paid from the private insurance-governmental indemnity fund established under the Price-Anderson Act without prior court approval. In addition, authority would be provided the appropriate U.S. district court to approve plans of distribution of the fund.

The Joint Committee believes this bill is an important improvement in the atomic energy legislation. S. 3830 was reported out by the Joint Committee

without dissent, and I urge the Senate to pass this bill without delay.

Mr. President, I might add that the bill has the approval of both the insurance industry and the nuclear industry involved.

I understand that the distinguished Senator from Massachusetts (Mr. SALTONSTALL) would like to ask me several questions.

Mr. SALTONSTALL. I thank the Senator from Rhode Island. He and I have been Governors, and we know that there are differences in State laws particularly with relation to damages, and so forth. We also know that at times we have tried to get universal State laws on such matters as banking, for instance. The reason I ask these questions is that I have read part of the report—I will not say that I read it all—but it struck me that there were certain things of which I should like to make sure, although I know that they are probably quite clear in the Senator's mind.

My first question is: It is my understanding that this bill provides definite authority to the AEC to make emergency assistance payments to victims of a nuclear incident without requiring a potential claimant to release his right to sue for further damages, once they may become known.

Am I correct in this assumption, that the right of a person to file suit for additional damages, whether in a State or Federal court, would not be prejudiced by acceptance of such emergency assistance offered soon after an incident?

Mr. PASTORE. That is correct. The Senator is absolutely correct.

Mr. SALTONSTALL. My second question is: Do I understand correctly that it will not be necessary for the Commission to make the determination that the incident was an "extraordinary nuclear occurrence" before such emergency assistance could be offered?

Mr. PASTORE. For emergency assistance payments, no. The Commission does not have to make such a determination in order to make such payments. I might say to my distinguished colleague that if he and I were Governors once more, we would welcome this law. This law is intended to protect the claimant who, as the result of the special waivers authorized, would not be obliged to prove negligence. He would not be obliged to prove that there was no contributory negligence. Instead of writing a new body of law, what we are actually doing is permitting the AEC, in its indemnity agreements, and the insurance companies in their contracts of insurance with the utilities, or any other person who runs a reactor in any community where we might have this extraordinary incident that we have been talking about, to agree that the claimant can make his claim for any damage without proving negligence. He also would not be restricted by a short statute of limitations because sometimes, in a radiation injury, there is no manifestation of that injury within the period of the statute of limitations.

Thus, actually, this is a bill intended to protect the claimant and, in the meantime, of course, for the benefit of the

claimant, he can get emergency payments.

Mr. SALTONSTALL. I ask the Senator, because he has answered my third question—but I have two or three more—what special advantages not now covered by the operation of the act could result from this authority to provide emergency assistance?

I think the Senator has answered that.

Mr. PASTORE. Yes, I have answered that.

Mr. SALTONSTALL. My next question is: What must the claimant show or prove to qualify him for the emergency assistance?

Mr. PASTORE. That he has injured.

Mr. SALTONSTALL. That he has injured. I assume that he would have to get advice—

Mr. PASTORE. He would have to show that. Of course he would.

Mr. SALTONSTALL. He would have to prove it, in order to qualify himself for this emergency assistance?

Mr. PASTORE. He would have to show that the injury was probably the result of the nuclear incident. That would have to be shown.

Mr. SALTONSTALL. He would have to prove that before representatives of the Commission?

Mr. PASTORE. That is right.

(At this point Mr. Bass took the chair as Presiding Officer.)

Mr. SALTONSTALL. My last question is: Would such assistance be in addition to or included as part of any final settlement?

Mr. PASTORE. It would be included within the final settlement. If he was entitled to more, he would get it.

Mr. SALTONSTALL. He would get what the Commission gave him anyway, and if he was entitled to more in the future, he would get that.

Mr. PASTORE. He would get his maximum damage and they would deduct anything that they have already paid him.

Mr. SALTONSTALL. So that this is an effort to make it the same all over the United States.

Mr. PASTORE. That is right.

Mr. SALTONSTALL. I thank the Senator.

Mr. PASTORE. I merely want the Record to show that a claim has never been filed under a Price-Anderson indemnity agreement with an AEC licensee. In other words, I do not want to leave the impression that anyone should be frightened over this bill. We recognize that there is a tremendous responsibility on the part of the Government in the event that we might have that kind of incident. But I want to say that we have come a long way in the development of plants for the production of electricity through the use of atomic energy. We have not had one major incident as yet.

Of course, the Senator from Massachusetts knows that there is a plant in Rowe, Mass., which is the pride of the Nation. I went up there and inspected it, and I was so pleased with it. When they tried to build another one in Connecticut, they hired a bus and took some people in Connecticut to Rowe, Mass. They were left there on their own to knock on doors

and ask people in the neighborhood what they thought of having an atomic energy plant in Massachusetts, and the response was overwhelmingly in favor of it.

Mr. SALTONSTALL. Mr. Webster can take a great deal of credit for that; can he not?

Mr. PASTORE. Absolutely.

Mr. SALTONSTALL. I thank the Senator.

Mr. PASTORE. Mr. President, before I ask that the bill be passed, there is an error in the printing of S. 3830 in the word "of" appearing between the word "prosecution" and the word "defense" on line 23 of page 5. It should read "or" instead of "of."

I ask unanimous consent that the error be corrected, and I offer an amendment to the bill.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 5, line 23, after the word "prosecution" strike out "of" and insert "or".

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Without objection, the amendment is agreed to.

If there be no further amendment to be offered, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, was read the third time, and was passed, as follows:

S. 3830

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 11 of the Atomic Energy Act of 1954, as amended, is amended—

(1) by redesignating subsections j. and k. as subsections k. and l., respectively, and by redesignating subsections l. through aa. as subsections n. through cc., respectively;

(2) by inserting after subsection l. the following new subsection:

"j. The term 'extraordinary nuclear occurrence' means any event causing a discharge or dispersal of source, special nuclear, or byproduct material from its intended place of confinement in amounts offsite, or causing radiation levels offsite, which the Commission determines to be substantial, and which the Commission determines has resulted or will probably result in substantial damages to persons offsite or property offsite. Any determination by the Commission that such an event has, or has not, occurred shall be final and conclusive, and no other official or any court shall have power or jurisdiction to review any such determination. The Commission shall establish criteria in writing setting forth the basis upon which such determination shall be made. As used in this subsection, 'offsite' means away from 'the location' or 'the contract location' as defined in the applicable Commission indemnity agreement, entered into pursuant to section 170.";

(3) by inserting after the subsection redesignated as subsection l. by paragraph (1) of this subsection the following new subsection:

"m. The term 'indemnitor' means (1) any insurer with respect to his obligations under a policy of insurance furnished as proof of financial protection; (2) any licensee, contractor or other person who is obligated under any other form of financial protection, with respect to such obligations; and (3) the Commission with respect to any obligation undertaken by it in an indemnity agreement entered into pursuant to section 170.";

September 22, 1966

CONGRESSIONAL RECORD — SENATE

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AMERICA'S ROLE IN ASIA

Mr. KUCHEL. Mr. President, in the Los Angeles Times of Sunday, September 18, 1966, the lead editorial is entitled, "America's Role in Asia." In a perceptive and penetrating comment, the Times goes on to describe the fact that the United States is and has been a Pacific power, regardless of what the head of the Republic of France may have said on his recent visit to southeast Asia.

The editorial quotes President Marcos, that gallant leader of the Philippine Republic, who spoke in this Capitol just a few days ago, as follows:

It was only the American presence in Vietnam which prevented the fall of the Indonesian government into Communist hands. Not only Indonesia, but also other countries.

The Times observes:

America's military role is only part of the story of our responsibilities in Asia. Building the economic and political strength of the free nations of the area, and working for reconciliation between hostile nations, are also major goals of U.S. policy and essential for peace.

The entire editorial merits the attention of the Senate and the country.

I ask unanimous consent that the entire text of the editorial be printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Los Angeles Times,
Sept. 18, 1966]

AMERICA'S ROLE IN ASIA

In Cambodia a few weeks ago President de Gaulle, beating the drums for a greater French influence in Asia, spoke sneeringly of "the foreigner who comes from the other shores of the Pacific" to meddle in Asian affairs. His reference was to the United States, and his implication appeared to be that this nation has no rightful interests anywhere west of Hawaii.

Some weeks earlier, conversely, President Johnson had described the United States as "a Pacific power," with obligations and interests that stretch far across the ocean to those lands where live 60% of the world's people.

Asia, said the President, "is now the crucial arena for man's striving for independence and order, and for life itself," and the United States is deeply involved—and rightly so—in that struggle.

It is not hard to see that reality and history are on the side of Mr. Johnson. De Gaulle, who raised no objections about the foreigner who came from the other shores of the Atlantic to restore France after one of her periodic defeats, knows that the United States was a Pacific power long before she became an Atlantic one.

Expediency no doubt prompted him to forget this fact, but its accuracy remains undiminished.

U.S. interest in Asia are long-standing, multi-faceted and continuing. They are also complex, involving not only self-interest, which is the basis for any nation's policies, but also a strong moral commitment and the fact that the United States, as the world's wealthiest and most powerful nation—and a Pacific power—is the only country able and willing to do certain things that must be done.

Critics of U.S. Asian policy, here and abroad, view the case differently. To some the United States is concerned in Asia primarily with economic aggrandizement.

Others feel the proper sphere of U.S. interest should be Europe. Our Asian com-

mitments aren't worth the resources they require, this group says, and besides, the Asians just aren't our kind of people.

These arguments, as the President noted, have all been tested and found wanting. They do not stand the tests of geography, or common sense, or human concern, or the political, economic, and military realities of this century.

The second world war, decolonization in Asia and the commensurate rise of communism in China all served to alter irrevocably the foundation for stability in the area. This does not mean that the pre-war status quo was either a model of order or preferable. What it does mean is that conditions have evolved that make an expanded U.S. role in Asia necessary.

Although this role takes several forms, the one that most upsets critics of U.S. policy is the military aspect of American involvement, typified, of course, by the Vietnam war.

The critical arguments are familiar enough not to need repeating, and so also are the official responses. A point too often ignored by critics, however, does merit recall. This is that non-Communist Asians strongly desire a U.S. military presence in the area; indeed, they depend on it.

This desire is by no means limited simply to the military governments in Asia. On the contrary: the democratically elected governments of Japan, the Philippines, Malaysia, Australia and Singapore are equally clear in their support for a U.S. military presence. These governments, and the great majority of the people they represent, understand the threat to national independence posed by militant communism in Asia, and they understand the security an American presence helps guarantee.

The fact that the United States is fulfilling its military commitments in Asia has a bearing not only on the war in Vietnam but elsewhere. For example, President Marcos of the Philippines has said flatly that "It was only the American presence in Vietnam which prevented the fall of the Indonesian government into Communist hands. Not only Indonesia, but also other countries." This view is by no means uniquely held.

It might also be assumed, with good reason, that such neutralist states as Burma and—yes—even Cambodia are not unhappy with a U.S. presence that is a counterweight to Chinese threats.

But America's military role is only part of the story of our responsibilities in Asia. Building the economic and political strength of the free nations of the area, and working for reconciliation between hostile nations, are also major goals of U.S. policy and essential for peace.

Military strength, and the willingness to meet commitments, are necessary pre-conditions for carrying out these other goals. Those who would have the United States withdraw from Asia, or refuse to meet the security needs of countries that need help, cannot expect economic and political progress to go forward.

Such progress is good in its own right, and good for the United States. Judged either way, it supports what this country is doing in Asia.

Mr. KUCHEL. Mr. President, proceeding now to another subject, I ask unanimous consent that I may be permitted to finish my remarks on this subject without interruption.

The PRESIDING OFFICER. How much time does the Senator wish?

Mr. KUCHEL. Five minutes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from California? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. KUCHEL. I yield to the majority leader.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, at the conclusion of the morning hour, the distinguished Senator from Kansas [Mr. PEARSON] be recognized.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

UN MAINTAINING NATO

Mr. KUCHEL. Mr. President, on August 29, I addressed the Senate to point out that the American involvement in southeast Asia is a global matter and that, given the aggressive design of Communist China, the entire world is threatened with a major conflict. These are critical times for the survival of modern man.

Whether we like it or not, Mr. President, the burden of preserving peace and human freedom in this decade of the 20th Century has fallen in large part on the shoulders of our great country. Accordingly, even a minor change in the foreign policy of the United States may be of great significance to the entire world.

Members on the majority side of the aisle have proposed a resolution saying that it is the sense of the Senate that there should be "a substantial reduction" in American forces stationed in Europe in connection with the North Atlantic Treaty. The resolution does not state how many troops should be withdrawn nor whether this step should be taken unilaterally or in consultation with our allies. The phrase "substantial reduction" is susceptible of many and diverse interpretations, and Senate debate alone will not supply a single definition. At this point, I must add it may well be that some reductions are in order, but there is a need for careful deliberation regarding the size and shape. If there is to be a Senate view on the matter, it ought to be based on credible testimony by the Secretaries of Defense, and State, and the Joint Chiefs of Staff. The fact is that this is an executive decision, not a legislative one, and the executive branch takes a dim view of the resolution.

Years ago, General MacArthur told the Congress and the country that while it is true Europe is the gateway to Asia, the reverse, as well, is equally true. The resolution raises a large number of critical issues of global importance. Among them is the fundamental question of collective security, upon which our policies have been based since World War II. That fundamental question touches furthermore on the doctrine of the defense of Europe.

In 1951 when the Congress, with the President's enthusiastic approval, passed a resolution in support of stationing American forces in Europe under NATO, extensive hearings were held in committee, to chart the course our Nation would follow as a result of that momentous step. Thereafter, the Senate acted. Today it is proposed to amend that earlier

resolution and to urge a withdrawal of a substantial number of our troops but with no prior sifting of the facts by committee. Such a proposal may be no less important to our policy and must be given the same care as its predecessor.

Several days ago, my distinguished friend, the senior Senator from New Hampshire [Mr. Corron] pointed out that a substantial withdrawal of troops from Europe could imply a return to the outmoded concept of "massive retaliation," and with it, the abandonment of many of the safeguards that have since been erected to prevent a global holocaust. I agree with him. The resolution implies a major change in military policy, in effect stating that the United States will not employ her troops as the first defense against aggression in Europe. In my view it implies that we might well go all the way to a nuclear response at the moment of attack, whether it be a feint, a probe, or even a miscalculation in maneuvers. The truth is that we should take extraordinary pains to prevent any nation from misjudging or falsely interpreting our resolve.

A great power must make its purposes clear lest its allies be confused and its enemies miscalculate its intentions. No nation, friend or foe, should have to guess or grope for the basis of our international policy in this nuclear age.

We have already learned in Vietnam how our enemies listen to the voices they wish to hear. Ho Chi Minh believes Americans will give up. He heeds the cry of those who claim that the majority of Americans will not support our efforts in southeast Asia. It has taken months of perseverance to give the lie to this contention. A great number of American lives have been lost, and may yet be lost, in convincing the North Vietnamese that they have miscalculated our intentions.

How much more costly for the world would be a Soviet failure to understand U.S. determination to defend Europe?

Approval of the resolution by the Senate in its present form could deepen Britain's quandary about her costly commitment on the Rhine. It could and, no doubt, would, enlarge West Germany's doubts about the adequacy of her defense, putting her in a position where many Germans would be tempted to contemplate measures leading to a nuclear force as an alternative to dependence on Gaullist France. And, most important, it could well tempt the Soviet Union into renewed adventures in Europe, prompted by too great a fear for a renaissance Germany and too little for the United States. As the Washington Post pointed out in a recent editorial, a return to the doctrine of massive retaliation "simply would not be credible to either the Soviets or the Western Europeans in all sorts of marginal situations, such as a Hungarian style revolt in East Germany that might transgress the border." The United States cannot afford to play these critical events on the blind. My position at the time the resolution was first introduced, remains the same. It must be subjected to close scrutiny in committee, where careful cross-examination can

build a printed record on which Senators may more clearly chart the position of this House.

No major troop withdrawals should be considered without full consultation with our allies, and, if possible, without exacting a reciprocal withdrawal of forces opposing the free world on the other side of the Iron Curtain. Revision of the resolution to take these factors into account would do much toward increasing its merit. Some reduction of forces may be desirable, and, indeed, quite acceptable to both us and our allies. But the essential need is to make certain that all concerned know the purpose and import of this resolution, both in terms of our foreign policy and our national security. Its meaning must be made crystal clear. It must be understood not only on the floor of the Senate but by members of the executive branch, the Armed Forces, and the people at large.

The actions of the Senate will have a great impact on American policy. Moreover, it is the task of the Senate to bring to bear on the forces making our foreign policy the will of the American people. This resolution, as I say, must be given the most careful hearings to record the views of the President, the Secretary of State, the Secretary of Defense, the Joint Chiefs of Staff, and other interested Americans. I intend to move that appropriate hearings be held.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. KUCHEL. I yield.

Mr. MANSFIELD. Mr. President, I listened with great interest to what the distinguished acting minority leader has said about Senate Resolution 300.

I must say that I disagree in large part with the logic which he used to explain his point of view.

This subject will be brought before the Senate and the Senate will have an opportunity to discuss it in public, as I think should be done, and, if the Senate so desires, it will be referred to a committee or committees.

I should like respectfully to make a suggestion to the acting minority leader, if I may, and that is that he be on the floor at the conclusion of the morning hour to listen to a speech to be given by our distinguished colleague, the Senator from Kansas [Mr. PEARSON], on this very subject.

I think we will all find the speech enlightening. It goes into facts and figures and, I think, does a good job of expressing his point of view as a sponsor of the resolution, which now has 31 names attached to it, and which will be before the Senate either later this month or early next month.

Mr. KUCHEL. Mr. President, I thank my friend, the majority leader. That statement gives me an opportunity to express to my colleague on the floor what I think is quite obvious—my own high respect for the ability and patriotism and experience which mark the conduct of the senior Senator from Montana. MIKE MANSFIELD is an able Senator. In this instance, however, I simply disagree with him.

Mr. President, I do not want to make a mistake in casting my vote on a reso-

lution that concerns as delicate and important a problem as that which is inherent in the resolution to which my able colleague, the majority leader, has referred. I do not want to make a mistake, and, taking that position, I want to be armed as best I can, not simply with benefit of the debate that will ensue in the Senate, but also with the careful and deliberate and considered opinion of those in the executive branch who, in the last analysis, will make the decision. A hearing will permit a careful cross-examination of each of them.

I say quite frankly that many Senators—and my able friend, the majority leader, is one of them—have far more knowledge and experience on which to draw in reaching a conclusion than does this Senator.

It is in great part for that reason that I do desire that this resolution go through the Senate processes of committee hearings.

Mr. MANSFIELD. Mr. President, the Senator is too modest when he speaks of his capabilities, which are great and varied. But I hope the Senate will not forget one aspect of the Constitution, and that is the Senate's right and duty of advice.

That is something that we had better keep in mind and pursue in the days ahead, perhaps more so in the future than in the past.

Mr. KUCHEL. Mr. President, I agree again that the Senate has a responsibility which it must discharge. In discharging it, I simply want the Senate to be as fully armed with the facts as it may be before each 100th part of the Senate renders its decision.

ASTRONOMICAL LEVEL OF FEDERAL CIVILIAN EMPLOYMENT

Mr. WILLIAMS of Delaware. Mr. President, the President's announcement that he has ordered the Director of the Budget to freeze Federal civilian employment at existing levels and then hailing this as a great demonstration of economy is an insult to the intelligence of the American taxpayers.

The fact is the Federal civilian employment today is at an astronomical high level, having been increased by 234,387 in the past 7 months, and then to have this move described as a reduction of 30,000 in their plans for future employment is a farce.

This is the second grandstand play of fictitious economy with the Federal employees as the pawns.

On December 1 of last year President Johnson held a press conference at his Texas ranch and announced that Federal civilian employment was too high and that it was going to be reduced by 25,000 during the remainder of that fiscal year, or by June 30, 1966.

What happened?

Instead of reducing employment by 25,000, the administration actually has added another 234,000.

The rate at which Federal civilian employment has been increased since his statement of December 1965 is as follows:

clations. If the personnel involved is inept, management of the association will handle the problem in the normal course of business activity. If the personnel in rare instances is guilty of criminal offenses in connection with operation of the association, there exists a whole body of criminal law with adequate sanctions to punish those convicted of such offenses in accordance with the traditional Anglo-Saxon due process safeguards. I have yet to be convinced that the Federal Home Loan Bank Board requires any authority as to personnel that it cannot exert with due application of powers it presently possesses.

I believe that my bill will supply the Federal regulatory agencies in the financial field with the intermediate cease-and-desist powers they should have, while at the same time adequately safeguarding the rights of institutions and their personnel through opportunity for timely and adequate recourse to the judiciary.

I encourage each Member of the House to deliberate upon this topic and to support the bill I am introducing in preference to S. 3158 as passed by the Senate on August 22.

BIRTHDAY SALUTE TO MALI

(Mr. O'HARA of Illinois asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. O'HARA of Illinois. Mr. Speaker, today is the sixth anniversary of the Republic of Mali and, as chairman of the Subcommittee on Africa of the Committee on Foreign Affairs, I am happy to extend hearty congratulations and sincere good wishes to the Government and the people of that young and proud nation in Africa.

The Republic of Mali, which covers an area somewhat smaller than Alaska, is in the interior of western Africa and borders seven different countries, all of which are former French territories.

Mali is steeped in history. Mali is partial heir to the succession of great African empires that formerly occupied the upper valley of the Niger. These empires were in touch with Mediterranean and Near Eastern centers of civilization by way of the trans-Saharan caravan routes.

The old Kingdom of Mali, from which the present Republic takes its name, was founded around the year 1200. Its ancient capital stood on a site near the present capital of Bamako, and its realm extended as far as Timbuktu and Gao.

On September 22, 1960, the colony of Soudan proclaimed itself the Republic of Mali and withdrew from the French community.

Mali is a predominantly agricultural country. The first 5-year plan was intended to encourage industrial growth by improving the infrastructure. Of all those resources deriving from the land, Mali's greatest potential is in its livestock—more than 10 million head, of which 3 million are cattle and 7 million sheep and goats.

At the present time she has no appreciable mineral wealth, but as in

other parts of Africa there is a possibility that known deposits of manganese, bauxite, and other minerals may prove economically exploitable.

It is the wish and expectation of the United States that Mali will achieve its aspirations in harmony with the other developing nations of Africa.

The Malian delegate to the United Nations last year, the Honorable Ousman Ba, stated his country's policy in his speech in general debate before the 20th session of the General Assembly as follows:

The delegation of Mali is happy to note that common sense and our common will to continue to work together in the achievement of the noble ideals of the Charter have made it possible for us all to overcome passions, national chauvinism and pride so that the United Nations might continue to live in the best interests of all mankind.

It is my personal pleasure to extend my felicitations to the President of Mali, the Honorable Modibo Keita, and the Malian Ambassador to the United States, His Excellency Moussa Leo Keita, with whom I became personally acquainted at the United Nations last year.

AMENDMENT TO THE INTERNAL REVENUE CODE

(Mr. DON H. CLAUSEN asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. DON H. CLAUSEN. Mr. Speaker, I am today introducing legislation which would amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income certain educational expenses.

It has come to my attention that the Internal Revenue Service has proposed that expenses incurred by teachers obtaining advanced degrees will no longer be tax deductible, a policy that will work a definite hardship on our teachers, since most State and local governments are encouraging, if not requiring, teachers to obtain additional training.

In my opinion, if we are going to encourage better education through Federal action in many areas, it seems incomprehensible that we should neglect this simple device of tax deductions which can be accomplished through a clearer interpretation of existing law.

I am sure we will all agree that teachers should be encouraged to increase their knowledge and training. We would all agree as to the importance of competent and well-trained teachers in our educational system. We would also agree that teachers should be given every incentive to gain new knowledge of teaching techniques. Certainly, one way we can do all of these things is by clarifying the Internal Revenue laws and regulations so that teachers will, by law not regulation, be permitted to deduct from their gross income any proper expenses for educational purposes relating to teaching activities.

I have been requested to support such legislation by Mr. Walter Egan, assistant superintendent of curricular services, Sonoma County Schools, Santa Rosa,

Calif. I have reviewed H.R. 17757 introduced by my colleague, Congressman WILLIAM CRAMER, and find myself totally in accord with its provisions.

While I realize it would be the height of optimism to anticipate passage of this legislation this year because of the lateness of the session, by this action today, I have seen fit to coauthor this legislation, thereby placing myself on record in support of this very important and very necessary legislation.

I call upon Congress to give this legislation its closest attention and I include the text of the bill for information purposes:

REPUBLICAN WHITE PAPER ON VIETNAM

(Mr. BOLAND asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. BOLAND. Mr. Speaker, in the past few days we have witnessed a bit of a flop on the so-called white paper issued by the Republican research and planning committee relative to the administration's handling of the war in Vietnam. The pamphlet is considered a flop by some responsible editorial writers in the Nation. One of the most devastating attacks on the Republicans research and planning paper comes from the New York World Journal Tribune.

Mr. Speaker, I include the editorial of Wednesday, September 21, 1966, in the RECORD at this point:

EMPTY-HANDED GOP

House Republican leaders have disgorged a document whose timing makes its purpose altogether clear. That purpose is to exploit widespread discontent over the Viet Nam war by labeling it, in effect, as Johnson's war.

Significantly, the new document omits portions contained in last year's model, which urged all Americans to support the war effort in order to defeat Communist aggression and assure South Viet Nam's freedom and independence.

Instead, the emphasis is on the deepening commitment, involvement and risks that have evolved under the Johnson administration.

It's the privilege of the Republican establishment to make what they can out of the administration's miseries—but a sense of responsibility should also impel a loyal opposition to set forth alternatives.

Avoiding resemblance to either hawk or dove, about the best the GOP manifesto offer is that there must be some way to end the war "more speedily and at a smaller cost" while still "safeguarding the independence and freedom of South Viet Nam."

Negative and nebulous all the way, it ends up as a nothing document. Once again Republicans seem determined to prove Harry Truman was right in saying that, like their party symbol, they never forget anything and never learn anything.

Negativism throughout the Roosevelt years kept the GOP perpetually in the doghouse. It took a political miracle, passed by an unbeatable war hero, to rescue the party from its 20-year exile.

If, after the debacle of 1964, Republicans want to spend another generation in the doghouse, they're going about it just right.

The Viet Nam document concocted by House Republican leaders is a perfect example of the empty-handed non-leadership that may scare up a fat fistful of "agin"

votes—but will scarcely impress thoughtful voters who examine the wares of political challengers for signs of positive, constructive alternatives.

ATTENTION CALLED TO A MOST SIGNIFICANT REPORT BY THE HOUSE ARMED SERVICES COMMITTEE

(Mr. GROSS asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include extraneous matter.)

DECEPTION AT ITS WORST

Mr. GROSS. Mr. Speaker, I call attention to a most significant report by the House Armed Services Subcommittee, which is headed by the gentleman from Virginia, Representative PORTER HARDY. It is a unanimous report by some of our colleagues who are deeply concerned about the way the Defense Department is administering the so-called cost-reduction program. All of us are interested in cost reduction, and the subcommittee members emphasize that they were working on cost reduction in defense a good many years before Mr. McNamara was fiddling with the problems of the Edsel at the Ford Motor Co.

Undoubtedly, the cost-reduction program has resulted in some savings, but the House Armed Services Subcommittee is troubled over the "degraded military capability" that has accompanied some of the "inordinate pressure" to cut costs. There is a fear that Mr. McNamara's image-building activities are not taking precedence over what our military leaders believe is necessary for our armed services. The subcommittee indicates that McNamara is using a "secret" label to hide the facts from the American people, and to try to keep the Hardy subcommittee from making the full facts known.

It was shocking to read some aspects of the report for it demonstrates the worst in news management through those phony press conferences in which McNamara claimed he saved the taxpayers \$14 billion in the past year. I wish he had saved that much, but the Hardy subcommittee has demonstrated that it is mostly ballyhoo and misrepresentations by McNamara and his press office.

I would call attention to the evidence that there is nothing really new about McNamara's cost reduction operation except that he has centralized the operations of activities that were in being in the Army, Navy, and Air Force. He has spent more money and time accumulating a lot of exaggerated figures on savings and he has spent a lot of money printing expensive brochures and mimeographing voluminous graphs to try to demonstrate that he has saved \$4 billion to \$5 billion a year. The Hardy subcommittee states that it just is not so, and that all of the phony business is in danger of undermining proper cost reduction efforts. But, most significant is the fact that the unanimous report shows a deep concern over measures that are undermining our defense posture. The fact that the United States has a force that is superior to that

of the Vietcong should not lull us into any false security relative to the condition of our Armed Forces.

Experienced men on the Armed Services Committees have raised warning signals in a series of reports, and I think it is time for the Congress and the American people to take a closer look at what is going on under McNamara.

Mr. Speaker, I say again that the entire report should be must reading for everyone in Congress. I would call special attention to the case of "the substitution of the M-107 projectile in lieu of procurement of the M-470 projectile." The committee finds that in this instance, McNamara is trying to clothe a "failure in the shining garb of a claimed multimillion-dollar cost reduction item and present it to the public as evidence of management excellence." This is deception at its worst.

Mr. Speaker, the following newspaper article by one of Washington's most astute newspaper reporters, Mr. Clark Mollenhoff, of the Des Moines Register, provides additional information on the exposure by the House Subcommittee of the deceptive techniques that have been used by the Secretary of Defense:

McNAMARA GETS REBUKE ON SAVINGS

(By Clark Mollenhoff)

WASHINGTON, D.C.—Defense Secretary Robert McNamara was blamed Friday for forcing "cost reduction actions that have had a significant adverse effect on our defense structure in terms of degraded combat potential."

The charge was made in an unanimous report by a House Armed Services Subcommittee that has been investigating McNamara's claim that his cost reduction program has saved the government \$14 billion in the last five years.

"FALL SHORT"

Chairman PORTER HARDY (Dem., Va.) said that McNamara's cost reduction program has undoubtedly resulted in some significant savings, but "its true accomplishments fall considerably short of the results publicly claimed."

HARDY said he and other members of the subcommittee had been pressing for effective cost reduction steps for years prior to the McNamara era, and that they thought a "properly administered" program could be a powerful weapon against waste and extravagance in government.

The subcommittee recommended that immediate steps be taken to correct the cost reduction program and to bring about "a more credible reporting of its accomplishments."

The subcommittee's investigations started in August, 1965, and resulted in hearings in July, 1966.

Auditors for the General Accounting Office had testified that about one-third of the savings McNamara claimed in 1964 and 1965 did not meet the criteria that he had established, and cases involving another one-third of the savings did not have documentation to support the claims of billions in savings.

"SHARP CONFLICTS"

"The evidence also strongly suggests that these actions (which degraded military capability) would not have been taken by the services had it not been for inordinate pressures from the OSD (McNamara's office) to report large savings," the Hardy report stated.

The report said there were "sharp conflicts between military services and the secretary of defense" with respect to certain military requirements.

"Generally, in such cases military judgments have bowed to civilian dictates," the subcommittee stated.

"The subcommittee has evidence that the OSD, in exercising its dominant power, has at times taken unnecessary risks and committed the services to an unwise and precipitous course of action."

In recent months, McNamara has been subject to sharp congressional criticism on a number of important decisions concerning the TFX warplane (now designated the F-111A and F-111B), the phaseout of the B-52 and B-58 bombers, and the lack of progress on a nuclear-powered fleet.

However, it is doubtful that any of the comments on these decisions had more bite than the report of the Hardy subcommittee.

The Hardy subcommittee accused McNamara of unjustified use of national security classifications to bar the subcommittee from making public key documents that it says demonstrate how U. S. military capability has been degraded.

"Our efforts have been unsuccessful. OSD has taken the position that public disclosure would result in 'comfort to our enemy,' but, undoubtedly the enemy derives more comfort from our attenuated military capability resulting from the combat use of inferior weapons," the subcommittee said.

"Public disclosure of the facts could do much to bring about an improvement in the decision making process responsible for the above condition."

"A skeptic might question whether disclosure in such a situation could adversely affect the national defense or merely the public image of the decisionmakers."

The Defense Department claimed savings of \$32,575,000 in fiscal year 1965 on the basis of a decision by McNamara that the Navy and Marine Corps could accomplish their mission with fewer F-4 aircraft.

McNamara cut the number of aircraft in each squadron from 14 to 12 despite the protests of the Navy. He figured that increased firepower in the F-4 made it possible for 12 planes to do the job of 14. The Navy said it was an erroneous judgment.

The defense secretary also decided to continue the less capable F-8 aircraft on some classes of carriers rather than replacing them with the superior F-4. He also cut the number of F-4s assigned to training missions.

DEGRADED EFFECTIVENESS

In the fact of the warnings, McNamara went ahead with the reduction in new planes, and then claimed a savings of \$32,575,000. The subcommittee found this to be a degradation of combat effectiveness.

The report also said testimony developed that McNamara, or someone in his office, had on a number of occasions ordered substantial claims of savings of as much as \$50 million after Army auditors had said such claims could not be justified.

Other claims of "savings" were admitted by the Army, Navy, Air Force and Marines to be no more than a use of excess inventory, or a normal prudent management decision. McNamara's office established a criteria that made it possible to list such things as "savings."

FEDERAL ANTIRIOT LEGISLATION

(Mr. FASCELL asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. FASCELL. Mr. Speaker, I am today cosponsoring a bill which would make it a Federal offense to move in interstate commerce or to use any facility in interstate commerce, including the mail, in order to incite to riot or to carry on a riot or to commit any crime of violence, arson, or bombing in the course of a riot.

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They will come, he knows, in that expanse of life after he retires this month as the spiritual leader of Rodef Shalom Congregation in Oakland.

His departure from the city's religious scene will be marked Oct. 2 by a banquet in his honor in the Freehof Hall of the temple on Fifth Avenue, where he has presided for 32 years.

Dr. Freehof, his hair steel-gray now, relaxed in an immense leather chair at his desk in his apartment at the Park Plaza on North Craig Street. Books, part of his 9,000-volume library lined the walls to the ceiling, and late-afternoon sunshine filtered through the blinds.

The world-renowned scholar, author, orator leaned back and closed his eyes in thought—a mannerism which his audiences can remember with delight.

"If I were to advise a young man considering the ministry for his work," he said, "I'd tell him it's a happy profession. Provided that he is suited for it, and to whom public life is not a trial.

"Religion brings out the best side of people, and the minister represents them best. He is happy because he helps make people better than they look—what they want to be."

The rabbi paused in contemplation, then spoke the thought he wanted for emphasis.

"Put on an intellectual basis as well as a spiritual one," he said, "the ministry has become a public service.

"And there is today a comradeship among the clergy, such as there was never before. This brotherliness among us, I think, will seep down among the people, for Americans are pioneers in easy comradeship."

Declaring that ecumenism "has firm soil" in the United States, Dr. Freehof said that the "prospect for church unity is greater than ever before."

"To see this late in my ministry," he said, "is a great satisfaction."

A man of simple joys, he rose and contemplated the color of flowers in a "finger pad" on the door—one of those triumphs of possession from a journey over oceans.

"You couldn't find it here," he said.

He paused in the hallway, caught the visitor's arm. "Look," he said.

Triple-decked on the wall were prints of native South African art, acquired there, the lines as simple as nature could contrive, in color perfection.

Mrs. Freehof invited the visitor to see one of her treasures, a magnificent piece of Swedish crystal—"Jonah and the Fish."

"The Bible doesn't say it was a whale," Dr. Freehof observed, "It was a 'fish.' You'll notice here that the flippers are vertical, but the whale's are horizontal."

He paused before his bookshelves and fondled a volume bound in vellum, well preserved although dating from the 15th Century.

"Handling old books is play," he said. "Books keep me busy."

They have indeed, for he has written 15, mostly concerning Hebrew canon law. Mrs. Freehof has written 12 treating of Bible themes. The rabbi has plans for four more.

Dr. Freehof's book reviews, Bible classes, and his Shakespeare lectures became famous among ever-increasing audiences down through the years.

He assumed the pulpit of Rodef Shalom Congregation in 1934. Previously he was a professor at the Hebrew Union College from which he was graduated and the rabbi of the Kehillath Anshe Maariv Temple in Chicago. During World War I he was a chaplain in the American Expeditionary Force.

He is a past president of the Central Conference of American Rabbis, and a member of the executive board of the Union of American Hebrew Congregations. He was the first American to be president of the World

Union for Progressive Judaism and is now its honorary president.

Besides more writing, travel is ahead for Dr. and Mrs. Freehof. There'll probably be more visits to Israel.

He sees that country as "constantly improving, and it's a pleasure to see how very dynamic it is."

"Those people love to argue, he chuckled, "so I'd better take some boxing gloves along—but I'm in good shape."

"Do it all over again?" he said at the door.

"Certainly—even in reincarnation!"

United States Not Waging a Holy War

EXTENSION OF REMARKS

OF

HON. ABRAHAM J. MULTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 1966

Mr. MULTER. Mr. Speaker, it does not seem quite clear to some people why we are aiding the South Vietnamese in their struggle against outside aggression.

The following article by Crosby S. Noyes helps clarify the situation. It appeared in the Washington Evening Star of September 20, 1966. I commend the item to the attention of our colleagues:

UNITED STATES NOT WAGING A "HOLY WAR" IN VIETNAM

(By Crosby S. Noyes)

United Nations Secretary General U Thant had a bad word for just about everyone in his doleful report on the state of the world to the new U.N. General Assembly. But his reproaches presumably addressed to the United States over the conflict in Viet Nam were, in fact, not reproaches at all.

What particularly distresses the secretary general is the idea that negotiations to end the conflict in Viet Nam are being blocked by considerations of great power politics and that the conflict has become "a kind of holy war between two powerful ideologies."

"I remain convinced," U Thant wrote, "that the basic problem in Viet Nam is not one of ideology, but one of national identity and survival."

It may come, as a surprise to U Thant, but there is no responsible official in Washington who would disagree with this sentiment. When it comes to the problem of explaining and justifying what the United States is trying to do in Viet Nam President Johnson himself might well use the same words.

It is precisely to ensure the national identity and survival of South Viet Nam that the United States is fighting. In Viet Nam itself, it is the claim of South Viet Nam to national identity, rather than any unreconcilable ideological differences with the regime in Hanoi, that is the root of the conflict.

This claim to separate national identity has been sustained by the South Vietnamese for more than six years of intensifying struggle to avoid armed conquest by the north. It has been reaffirmed most recently by a vote in which more than 80 percent of the country's registered voters defied Hanoi and the Viet Cong to cast ballots for a representative constituent assembly.

Without American help, no doubt, the issue would have been settled long since by force. But whatever U Thant may think, the growing American involvement in Viet Nam has not given the conflict the character of a holy war, either in Saigon or in Washington.

So far as the statements of American leaders are concerned, there has been nothing to sustain the charge that the war is looked on primarily as an ideological confrontation. When Johnson, Rusk and company speak of the necessity of containing Communist aggression in Southeast Asia, the operative word is "aggression."

From the very beginning, the U.S. government has justified its effort purely and simply on the principle of self-determination—the right of the people of Viet Nam to decide their own destiny. The phrase "Communist aggression" is little more than a convenient shorthand for identifying the source of the aggression, whether it is applied to Hanoi or Peking. And the notion of a global ideological Armageddon has been studiously resisted by all responsible American spokesmen.

From the American point of view, the ideological character of the struggle is very largely irrelevant. It is not the fact that China and North Viet Nam are Communist nations that matters. What does matter is that they seek to impose their domination and their system on people who do not want them.

The Communists have, to be sure, made a considerable effort to turn the struggle in Viet Nam into a holy war. The Chinese, in particular, have made no bones about linking the outcome of that struggle to their doctrine of the ultimate universal triumph of militant communism.

The North Vietnamese, while subscribing, of course, to Chinese theories about "wars of national liberation," are somewhat more restrained in their theology and more inclined to view the war in terms of their own national aspirations. American experts believe that even China's ideological trumpetings on Viet Nam are largely windowdressing to cover up what are in reality China's traditional national ambitions in Asia.

Perhaps the most convincing evidence against U Thant's holy war thesis are the persistent efforts that the United States has been making to enlist the aid of the Soviet Union in getting peacetalks started.

It is, to say the least, an odd way to run a crusade. And recent developments in New York—including U Thant's own sudden decision to stay around for a while longer—offer at least a glimmer of hope that the way to a settlement may not be as hopelessly blocked as the secretary general has thought.

Agreement on Development of Savannah River

EXTENSION OF REMARKS

OF

HON. W. J. BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 1, 1966

Mr. DORN. Mr. Speaker, an utterly ridiculous, incredible, misleading, and false article was mailed to the members of my Committee on Public Works in the envelope of the Anderson Independent and was postmarked at Anderson, S.C. Without question, this article was mailed from my own district in an attempt to create confusion and hinder the fulfillment of an agreement we have worked out for the development of the Savannah River between South Carolina and Georgia by both public and private means.

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CONGRESSIONAL RECORD — APPENDIX

September 22, 1966

For many years there has been a stalemate on the Savannah River between my district and Georgia with the people of Georgia advocating a Government dam at Trotters Shoals while the public officials and myself in South Carolina have held out for private development of the river. A compromise was inevitable before construction of either private or public project.

Mr. Speaker, I have worked for 20 years to bring about full development of the Savannah River. An agreement has been worked out which will permit the great Mead Pulp & Paper Co., to build a plant on its new site in Abbeville County, which will permit Duke to build the world's largest steamplant on its site in Anderson County and for a Government dam to be built at Trotters Shoals below Calhoun Falls on the Savannah River between Abbeville County, S.C., and Elbert County, Ga. Also involved in this agreement is withdrawal of opposition to another fantastic power-generating complex at Keowee-Troxaway in Pickens and Oconee Counties.

Mr. Speaker, this is a superb agreement—the very best that could be hoped for. I hope that partisan politics will not enter into this agreement. I hope further and recommend to my colleagues that this agreement be approved. The article, which was mailed to the members of the Public Works Committee and referred to above, follows:

Republican Congressional candidate John K. Grisso Monday charged that when Rep. BRYAN DORN appointed Richard Copeland acting postmaster in Anderson he deprived 12 career postal employees promotions which would have carried salary increases of approximately \$22,000 a year.

Copeland, son-in-law of defeated state Sen. J. B. Lawson, may now become "politically expendable," Grisso said, and he predicted DORN would pull another "compromise."

At the time of the appointment, various groups in the post office here filed protests against DORN appointing Copeland.

DORN announced last week a compromise on the Savannah River development. After a talk made Monday before a group of Anderson County "Grisso For Congress Committee Members" who honored him with a luncheon celebrating his 38th birthday, Grisso issued this statement:

"This last week we saw a spectacle that may be witnessed quite often in the coming months. As you know, my opponent was forced to reverse positions on the development of the Savannah River Projects.

"My opponent's records show clearly that he has always opposed the building of Trotters Shoals. He said this years ago. It was in the CONGRESSIONAL RECORD last July 27, and I quote: 'Trotters Shoals is not needed for recreation. It is not needed for navigation. It is not needed for flood control. It is definitely not needed for power . . . Least of all do we need a panel to promote Trotters Shoals . . .'

"And this July, the 11th of July to be exact, the Greenwood Index Journal carried a story from Washington from which I quote: 'As a member of the flood control subcommittee, he managed to get all mention of Trotters Shoals eliminated from the bill reported out by the panel.'

"There are many other statements clearly indicating my opponent's tactics on the Savannah River development.

"In a fashion that will become a trademark, my opponent issued ambiguous statements that imply that he caused or effected or brought about a compromise. This delib-

erate attempt to distort the facts shows a desperate man. Why did a whole year pass after an engineering alteration was announced that made Middleton Shoals and Trotters Shoals compatible? Why didn't he switch a year ago? Why was all this time wasted? I don't know the answers to these questions, but my opponent will undoubtedly come up with some soon.

"When we got the first news stories of my opponent's switch, I made some phone calls and found that he had been forced to switch or else Keowee-Toxaway and Middleton Shoals might be lost. The license from the FPC must be obtained by this October. Sen. THURMOND's office in Washington confirmed my opinion. A meeting was taking place at that time (Wednesday morning, July 20) and we would get more information as soon as it was over. Sen. THURMOND told me Saturday night in Saluda County what took place.

"About six weeks ago Duke Power Company learned it would not get the license for Keowee-Toxaway from the FPC as things stood. At the same time my opponent realized that we mean business in this race. A few hints were dropped in the press to prepare the people for my opponent's switch.

"When the time came to release the news, my opponent jumped the gun and released his version of the story early. Because of this and because of the distortion of the facts, I learned from reliable sources that privately, the senators and congressmen from both South Carolina and Georgia were quite put out with him. At any rate, he reversed his position and at long last everything fell into place. It looks like all of the projects will be built. We all hope it's not too late.

"I predict we can expect more switches from my opponent. You are aware that the Anderson Post Office has not had a postmaster for about nine years, and after Senator Johnston passed away an appointment was made to put a man from outside the postal service in as acting postmaster.

"This meant that qualified men with long postal service were not given the chance to compete for the position and that promotions for approximately 12 employees who would have moved up were not forthcoming. These promotions would have carried salary increases totaling approximately \$22,000 a year. This happened because an outsider was appointed for political reasons by my opponent to be acting postmaster.

"The word is out now that my opponent realized his mistake and in all probability will do something about it before the November election. It is just this kind of monkeyshine that is behind a bill which I am informed, will be introduced today or shortly in the Congress that would take the appointment of postmasters out of the hands of the politicians and put it into the hands of Civil Service examiners. In other words, this bill would prohibit appointments such as my opponent has made here in Anderson. It may be that the acting postmaster, will be politically 'expendable' due to the reaction that has set in against my opponent, as a result of overlooking the postal employees in making the appointment.

"You can expect now—with the election coming up—an examination to be called or some other so-called 'compromise.'"

Facing the Facts of Water

EXTENSION OF REMARKS

OF

HON. HENRY P. SMITH III

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 1966

Mr. SMITH of New York. Mr. Speaker, because it has been taken for granted

for too long by too many people, water, one of our great national assets, now has also become a great national problem. Pollution from many sources has fouled countless rivers, streams, and lakes robbing them of both their beauty and their usefulness at the very time when our needs for water are increasing rapidly.

Our so-called water problem actually is a number of problems, of course: pollution, improper distribution, thoughtless waste, unrealistic pricing, and many others. Most of these problems are complex not only in themselves, but in their interrelationships as well. Their solution will not be easy.

Legislation now before the Congress will substantially increase the pace and the scope of our efforts to combat these problems. But, as we all know, public apathy can blunt the effectiveness of any law. Whatever the final form of the "water" legislation presently pending in Congress, it must have the support of an interested and informed public if it is to achieve its purposes.

Recently, President Johnson took a firsthand look at the pollution of Lake Erie at the mouth of the Buffalo River. This occasion focused attention on the water problems in our area. The solution to our monumental water problems cannot be solved by Federal, State, and local governments alone; help is needed from other responsible segments of our society if the general public is to have a sound understanding of our complex water problems.

In this regard, I would like to call the attention of my colleagues to a report on water that has recently been published by Worthington Corp. I am proud to say that Worthington, whose Buffalo plant has long been a credit and economic benefit to the Niagara Frontier, has been extremely active in the field of water handling and treatment.

Mr. Speaker, I sincerely believe that this report, entitled "Water," will contribute toward a greater national understanding of our water problems, and the various alternative solutions to those problems. I commend Worthington Corp. for what I consider an outstanding public service.

Mr. Speaker, the following are key excerpts from "Water":

EXCERPTS FROM "WATER" BY WORTHINGTON CORP.

Water is one of man's blessings and perhaps his greatest natural resource, but it is also a commodity. While it comes in free abundance to some, others must treasure a trickle. Fortunately it is an almost infinitely reusable commodity; we can enjoy and employ it over and over through reclamation processes that keep it clean. As a commodity moving from abundance to scarcity, water must be looked at in terms of the true costs of a continued supply.

The tasks of tapping new supplies farther away and cleaning up old ones nearby will be both extensive and expensive. Municipal waste treatment could cost up to a billion dollars a year for many years. Estimates of the cost of decontaminating all industrial waste run from one billion to as high as four billion dollars a year for the next ten years; at least \$400 million a year is now being spent. For needs in special areas the demineralizing of brackish water and the desalting of sea water will require very large investments. New developments will